

1 EDMUND G. BROWN JR.
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JONATHAN D. COOPER
Deputy Attorney General
4 State Bar No. 141461
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-1404
6 Facsimile: (415) 703-5480
Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Petition to Revoke
11 Probation Against:

Case No. 2006-170

12 **ADELAIDA DIZON OCAMPO**
13 **27809 Gainesville Avenue**
Hayward, CA 94545

PETITION TO REVOKE PROBATION

14 **Registered Nurse License No. 511194**

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Petition to Revoke Probation
20 solely in her official capacity as the Interim Executive Officer of the Board of Registered
21 Nursing, Department of Consumer Affairs.

22 2. On or about May 9, 1995, the Board of Registered Nursing issued Registered Nurse
23 License Number 511194 to Adelaida Dizon Ocampo (Respondent). The Registered Nurse
24 License was in full force and effect at all times relevant to the charges brought herein and will
25 expire on July 31, 2010.

26 3. In a disciplinary action entitled "In the Matter of Accusation Against Adelaida Dizon
27 Ocampo," Case No. 2006-170, the Board of Registered Nursing issued a decision, effective
28 October 2, 2006, in which Respondent's Registered Nurse License was revoked. However, the

1 revocation was stayed and Respondent's license was placed on probation for a period of three (3)
2 years with certain terms and conditions. A copy of that decision is attached as Exhibit A and is
3 incorporated by reference. On October 20, 2009, the Board granted Respondent's request to
4 extend her term of probation by one year.

5 JURISDICTION

6 4. This Petition to Revoke Probation is brought before the Board of Registered Nursing
7 (Board), Department of Consumer Affairs, under the authority of the following laws. All section
8 references are to the Business and Professions Code unless otherwise indicated.

9 5. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part,
10 that the Board may discipline any licensee, including a licensee holding a temporary or an
11 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the
12 Nursing Practice Act.

13 6. Section 2759 of the Code provides, in pertinent part, that the Board may impose
14 discipline upon the holder of a license by placing him on probation.

15 7. Section 2764 of the Code provides, in pertinent part, that the expiration of a license
16 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the
17 licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the
18 Code, the Board may renew an expired license at any time within eight years after the expiration.

19 FIRST CAUSE TO REVOKE PROBATION

20 (Failure to Comply With Terms and Conditions)

21 8. At all times after the effective date of Respondent's probation, Condition Two stated,
22 in pertinent part:

23 9. **Comply with the Board's Probation Program.** Respondent shall fully comply
24 with the conditions of the Probation Program established by the Board and cooperate with
25 representatives of the Board in its monitoring and investigation of the Respondent's compliance
26 with the Board's Probation Program. Respondent shall inform the Board in writing within no
27 more than 15 days of any address change and shall at all times maintain an active, current license
28 status with the Board, including during any period of suspension.

10. Respondent's probation is subject to revocation because she failed to comply with Probation Condition Two, referenced above, as set forth in paragraphs 11 through 13, below.

SECOND CAUSE TO REVOKE PROBATION

(Failure to Function as a Registered Nurse)

11. At all times after the effective date of Respondent's probation, Condition Six stated, in pertinent part:

12. **Function as a Registered Nurse.** Respondent, during the period of probation, shall engage in the practice of registered nursing in California for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

For purposes of compliance with the section, "engage in the practice of registered nursing" may include, when approved by the Board, volunteer work as a registered nurse, or work in any non-direct patient care position that requires licensure as a registered nurse.

The Board may require that advanced practice nurses engage in advanced practice nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

If Respondent has not complied with this condition during the probationary term, and Respondent has presented sufficient documentation of her good faith efforts to comply with this condition, and if no other conditions have been violated, the Board, in its discretion, may grant an extension of Respondent's probation period up to one year without further hearing in order to comply with this condition. During the one year extension, all original conditions of probation shall apply.

13. Respondent's probation is subject to revocation because she failed to comply with Probation Condition Six, in that Respondent has not worked as a registered nurse as required.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking the probation that was granted by the Board of Registered Nursing in Case No. 2006-170 and imposing the disciplinary order that was stayed, thereby revoking Registered Nurse License No. 511194, issued to Adelaida Dizon Ocampo;

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2. Taking such other and further action as deemed necessary and proper.

DATED: June 30, 2010

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

AMERICAN
BOARD OF REGISTERED NURSES

LOUISE R. BAILEY

EXHIBIT A

DECISION AND ORDER

BOARD OF REGISTERED NURSING CASE NO. 2006-170

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

ADELAIDA DIZON OCAMPO
1192 Huron Lane
Hayward, CA 94545

Registered Nurse License No. 511194

Respondent

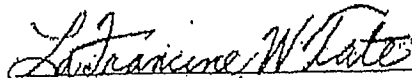
Case No. 2006-170

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as it's Decision in the above entitled matter.

This Decision shall become effective on October 2, 2006.

IT IS SO ORDERED August 31, 2006.



AMPHILAS
COMMISSION OF REGISTERED NURSING TO CHARGE
STEPHANIE W. TATE
Vice-President
Board of Registered Nursing
Department of Consumer Affairs
State of California

BILL LOCKYER, Attorney General
of the State of California
JONATHAN D. COOPER, State Bar No. 141461
Deputy Attorney General
California Department of Justice
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 703-1404
Facsimile: (415) 703-5480

Attorneys for Complainant

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

ADELAIDA DIZON OCAMPO
1192 Huron Lane
Hayward, CA 94545

27809 Gainesville Ave.
Hayward, CA 94545

Registered Nurse License No. 511194

Respondent.

Case No. 2006-170

OAH No. 2006040468

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
above-entitled proceedings that the following matters are true:

PARTIES

1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of
the Board of Registered Nursing. She brought this action solely in her official capacity and is
represented in this matter by Bill Lockyer, Attorney General of the State of California, by
Jonathan D. Cooper, Deputy Attorney General.

2. Respondent Adelaida Dizon Ocampo (Respondent) is representing herself
in this proceeding and has chosen not to exercise her right to be represented by counsel.

On or about May 9, 1995, the Board of Registered Nursing issued
Registered Nurse License No. 511194 to Adelaida Dizon Ocampo (Respondent). The License

1 was in full force and effect at all times relevant to the charges brought in Accusation No.
2 2006-170 and will expire on July 31, 2006, unless renewed.

3 **JURISDICTION**

4 4. Accusation No. 2006-170 was filed before the Board of Registered
5 Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent.
6 The Accusation and all other statutorily required documents were properly served on Respondent
7 on March 21, 2006. Respondent timely filed her Notice of Defense contesting the Accusation. A
8 copy of Accusation No. 2006-170 is attached as exhibit A and incorporated herein by reference.

9 **ADVISEMENT AND WAIVERS**

10 5. Respondent has carefully read, and understands the charges and allegations
11 in Accusation No. 2006-170. Respondent has also carefully read, and understands the effects of
12 this Stipulated Settlement and Disciplinary Order.

13 6. Respondent is fully aware of her legal rights in this matter, including the
14 right to a hearing on the charges and allegations in the Accusation; the right to be represented by
15 counsel at her own expense; the right to confront and cross-examine the witnesses against her;
16 the right to present evidence and to testify on her own behalf; the right to the issuance of
17 subpoenas to compel the attendance of witnesses and the production of documents; the right to
18 reconsideration and court review of an adverse decision; and all other rights accorded by the
19 California Administrative Procedure Act and other applicable laws.

20 7. Respondent voluntarily, knowingly, and intelligently waives and gives up
21 each and every right set forth above.

22 **CULPABILITY**

23 8. Respondent admits the truth of each and every charge and allegation in
24 Accusation No. 2006-170,

25 9. Respondent agrees that her Registered Nurse License is subject to
26 discipline and she agrees to be bound by the Board of Registered Nursing (Board)'s imposition
27 of discipline as set forth in the Disciplinary Order below.

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2 CONTINGENCY

3 10. This stipulation shall be subject to approval by the Board of Registered
4 Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the
5 Board of Registered Nursing may communicate directly with the Board regarding this stipulation
6 and settlement, without notice to or participation by Respondent. By signing the stipulation,
7 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind
8 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt
9 this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall
10 be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
11 between the parties, and the Board shall not be disqualified from further action by having
12 considered this matter.

13 11. The parties understand and agree that facsimile copies of this Stipulated
14 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
15 force and effect as the originals.

16 12. In consideration of the foregoing admissions and stipulations, the parties
17 agree that the Board may, without further notice or formal proceeding, issue and enter the
18 following Disciplinary Order:

19 DISCIPLINARY ORDER

20 IT IS HEREBY ORDERED that Registered Nurse License No. 511194 issued to
21 Respondent Adelaida Dizon Ocampo (Respondent) is revoked. However, the revocation is
22 stayed and Respondent is placed on probation for three (3) years on the following terms and
23 conditions.

24 **Severability Clause.** Each condition of probation contained herein is a separate
25 and distinct condition. If any condition of this Order, or any application thereof, is declared
26 unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other
27 applications thereof, shall not be affected. Each condition of this Order shall separately be valid
28 and enforceable to the fullest extent permitted by law.

1. Obey All Laws. Respondent shall obey all federal, state and local laws.

1 A full and detailed account of any and all violations of law shall be reported by Respondent to
2 the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of
3 compliance with this condition, Respondent shall submit completed fingerprint forms and
4 fingerprint fees within 45 days of the effective date of the decision, unless previously submitted
5 as part of the licensure application process.

6 **Criminal Court Orders:** If Respondent is under criminal court orders, including
7 probation or parole, and the order is violated, this shall be deemed a violation of these probation
8 conditions, and may result in the filing of an accusation and/or petition to revoke probation.

9 **2. Comply with the Board's Probation Program.** Respondent shall fully
10 comply with the conditions of the Probation Program established by the Board and cooperate
11 with representatives of the Board in its monitoring and investigation of the Respondent's
12 compliance with the Board's Probation Program. Respondent shall inform the Board in writing
13 within no more than 15 days of any address change and shall at all times maintain an active,
14 current license status with the Board, including during any period of suspension.

15 Upon successful completion of probation, Respondent's license shall be fully
16 restored.

17 **3. Report in Person.** Respondent, during the period of probation, shall
18 appear in person at interviews/meetings as directed by the Board or its designated
19 representatives.

20 **4. Residency, Practice, or Licensure Outside of State.** Periods of
21 residency or practice as a registered nurse outside of California shall not apply toward a reduction
22 of this probation time period. Respondent's probation is tolled, if and when she resides outside
23 of California. Respondent must provide written notice to the Board within 15 days of any change
24 of residency or practice outside the state, and within 30 days prior to re-establishing residency or
25 returning to practice in this state.

26 Respondent shall provide a list of all states and territories where she has ever been
27 licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further
28 provide information regarding the status of each license and any changes in such license status

1 during the term of probation. Respondent shall inform the Board if she applies for or obtains a
2 new nursing license during the term of probation.

3 **5. Submit Written Reports.** Respondent, during the period of probation,
4 shall submit or cause to be submitted such written reports/declarations and verification of actions
5 under penalty of perjury, as required by the Board. These reports/declarations shall contain
6 statements relative to Respondent's compliance with all the conditions of the Board's Probation
7 Program. Respondent shall immediately execute all release of information forms as may be
8 required by the Board or its representatives.

9 Respondent shall provide a copy of this Decision to the nursing regulatory agency
10 in every state and territory in which she has a registered nurse license.

11 **6. Function as a Registered Nurse.** Respondent, during the period of
12 probation, shall engage in the practice of registered nursing in California for a minimum of 24
13 hours per week for 6 consecutive months or as determined by the Board.

14 For purposes of compliance with the section, "engage in the practice of registered
15 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or
16 work in any non-direct patient care position that requires licensure as a registered nurse.

17 The Board may require that advanced practice nurses engage in advanced practice
18 nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the
19 Board.

20 If Respondent has not complied with this condition during the probationary term,
21 and Respondent has presented sufficient documentation of her good faith efforts to comply with
22 this condition, and if no other conditions have been violated, the Board, in its discretion, may
23 grant an extension of Respondent's probation period up to one year without further hearing in
24 order to comply with this condition. During the one year extension, all original conditions of
25 probation shall apply.

26 **7. Employment Approval and Reporting Requirements.** Respondent
27 shall obtain prior approval from the Board before commencing or continuing any employment,
28 paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all

1 performance evaluations and other employment related reports as a registered nurse upon request
2 of the Board.

3 Respondent shall provide a copy of this Decision to her employer and immediate
4 supervisors prior to commencement of any nursing or other health care related employment.

5 In addition to the above, Respondent shall notify the Board in writing within
6 seventy-two (72) hours after she obtains any nursing or other health care related employment.
7 Respondent shall notify the Board in writing within seventy-two (72) hours after she is
8 terminated or separated, regardless of cause, from any nursing, or other health care related
9 employment with a full explanation of the circumstances surrounding the termination or
10 separation.

11 8. **Supervision.** Respondent shall obtain prior approval from the Board
12 regarding Respondent's level of supervision and/or collaboration before commencing or
13 continuing any employment as a registered nurse, or education and training that includes patient
14 care.

15 Respondent shall practice only under the direct supervision of a registered nurse
16 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative
17 methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician)
18 are approved.

19 Respondent's level of supervision and/or collaboration may include, but is not
20 limited to the following:

21 (a) Maximum - The individual providing supervision and/or collaboration is
22 present in the patient care area or in any other work setting at all times.

23 (b) Moderate - The individual providing supervision and/or collaboration is in
24 the patient care unit or in any other work setting at least half the hours Respondent works.

25 (c) Minimum - The individual providing supervision and/or collaboration has
26 person-to-person communication with Respondent at least twice during each shift worked.

27 (d) Home Health Care - If Respondent is approved to work in the home health
28 care setting, the individual providing supervision and/or collaboration shall have person-to-

1 person communication with Respondent as required by the Board each work day. Respondent
2 shall maintain telephone or other telecommunication contact with the individual providing
3 supervision and/or collaboration as required by the Board during each work day. The individual
4 providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-
5 site visits to patients' homes visited by Respondent with or without Respondent present.

6 9. **Employment Limitations.** Respondent shall not work for a nurse's
7 registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a
8 traveling nurse, or for an in-house nursing pool.

9 Respondent shall not work for a licensed home health agency as a visiting nurse
10 unless the registered nursing supervision and other protections for home visits have been
11 approved by the Board. Respondent shall not work in any other registered nursing occupation
12 where home visits are required.

13 Respondent shall not work in any health care setting as a supervisor of registered
14 nurses. The Board may additionally restrict Respondent from supervising licensed vocational
15 nurses and/or unlicensed assistive personnel on a case-by-case basis.

16 Respondent shall not work as a faculty member in an approved school of nursing
17 or as an instructor in a Board approved continuing education program.

18 Respondent shall work only on a regularly assigned, identified and predetermined
19 worksite(s) and shall not work in a float capacity.

20 If Respondent is working or intends to work in excess of 40 hours per week, the
21 Board may request documentation to determine whether there should be restrictions on the hours
22 of work.

23 10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall
24 enroll and successfully complete a course relevant to the practice of registered nursing no later
25 than six months prior to the end of her probationary term.

26 Respondent shall obtain prior approval from the Board before enrolling in the
27 course. Respondent shall submit to the Board the original transcripts or certificates of
28 completion for the above required course. The Board shall return the original documents to

1 Respondent after photocopying them for its records.

2 11. **Cost Recovery.** Respondent shall pay to the Board costs associated with
3 its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the
4 amount of \$4,000.00. Respondent shall be permitted to pay these costs in a payment plan
5 approved by the Board, with payments to be completed no later than three months prior to the
6 end of the probation term.

7 If Respondent has not complied with this condition during the probationary term,
8 and Respondent has presented sufficient documentation of her good faith efforts to comply with
9 this condition, and if no other conditions have been violated, the Board, in its discretion, may
10 grant an extension of Respondent's probation period up to one year without further hearing in
11 order to comply with this condition. During the one year extension, all original conditions of
12 probation will apply.

13 12. **Violation of Probation.** If Respondent violates the conditions of her
14 probation, the Board after giving Respondent notice and an opportunity to be heard, may set
15 aside the stay order and impose the stayed discipline (revocation) of Respondent's license.

16 If during the period of probation, an accusation or petition to revoke probation has
17 been filed against Respondent's license or the Attorney General's Office has been requested to
18 prepare an accusation or petition to revoke probation against Respondent's license, the
19 probationary period shall automatically be extended and shall not expire until the accusation or
20 petition has been acted upon by the Board.

21 13. **License Surrender.** During Respondent's term of probation, if she ceases
22 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of
23 probation, Respondent may surrender her license to the Board. The Board reserves the right to
24 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to
25 take any other action deemed appropriate and reasonable under the circumstances, without
26 further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent
27 will no longer be subject to the conditions of probation.

28 Surrender of Respondent's license shall be considered a disciplinary action and

1 shall become a part of Respondent's license history with the Board. A registered nurse whose
2 license has been surrendered may petition the Board for reinstatement no sooner than the
3 following minimum periods from the effective date of the disciplinary decision;

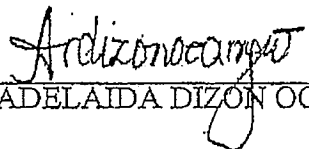
4 (1) Two years for reinstatement of a license that was surrendered for any
5 reason other than a mental or physical illness; or

6 (2) One year for a license surrendered for a mental or physical illness.

7 ACCEPTANCE

8 I have carefully read the Stipulated Settlement and Disciplinary Order. I
9 understand the stipulation and the effect it will have on my Registered Nurse License. I enter
10 into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently,
11 and agree to be bound by the Decision and Order of the Board of Registered Nursing.

12 DATED: 06-21-06


13
14 
15 ADELAIZA DIZON OCAMPO (Respondent)

16 ENDORSEMENT

17 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
18 submitted for consideration by the Board of Registered Nursing of the Department of Consumer
19 Affairs.

20 DATED: 6/27/06

21
22 BILL LOCKYER, Attorney General
23 of the State of California

24 
25 JONATHAN D. COOPER
26 Deputy Attorney General

27 Attorneys for Complainant

Exhibit A
Accusation No. 2006-170

1 BILL LOCKYER, Attorney General
of the State of California
2 JONATHAN D. COOPER, State Bar No. 141461
Deputy Attorney General
3 California Department of Justice
455 Golden Gate Avenue, Suite 11000
4 San Francisco, CA 94102-7004
Telephone: (415) 703-1404
5 Facsimile: (415) 703-5480
6 Attorneys for Complainant

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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2006-170

12 **ADELAIDA DIZON OCAMPO**
1192 Huron Lane
13 Hayward, CA 94545

A C C U S A T I O N

14 Registered Nurse License No. 511194

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation
20 solely in her official capacity as the Executive Officer of the Board of Registered Nursing
21 ("Board"), Department of Consumer Affairs.

22 2. On or about May 9, 1995, the Board issued Registered Nurse License
23 Number 511194 to Adelaida Dizon Ocampo ("Respondent"). Respondent's registered nurse
24 license was in full force and effect at all times relevant to the charges brought herein and will
25 expire on July 31, 2006, unless renewed.

26 **STATUTORY PROVISIONS**

27 3. Business and Professions Code ("Code") section 2750 provides, in
28 pertinent part, that the Board may discipline any licensee, including a licensee holding a

1 temporary or an inactive license, for any reason provided in Article 3 (commencing with section
2 2750) of the Nursing Practice Act.

3 4. Code section 2764 provides, in pertinent part, that the expiration of a
4 license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding
5 against the licensee or to render a decision imposing discipline on the license. Under Code
6 section 2811, subdivision (b), the Board may renew an expired license at any time within eight
7 years after the expiration.

8 5. Code section 2761 states, in pertinent part:

9 The board may take disciplinary action against a certified or licensed nurse
10 or deny an application for a certificate or license for any of the following:

11 (a) Unprofessional conduct, which includes, but is not limited to, the
12 following:

13 (1) Incompetence, or gross negligence in carrying out usual certified or
14 licensed nursing functions . . .

15 6. California Code of Regulations, title 16, section ("Regulation") 1442
16 states:

17 As used in Section 2761 of the code, 'gross negligence' includes an
18 extreme departure from the standard of care which, under similar circumstances,
19 would have ordinarily been exercised by a competent registered nurse. Such an
20 extreme departure means the repeated failure to provide nursing care as required
21 or failure to provide care or to exercise ordinary precaution in a single situation
22 which the nurse knew, or should have known, could have jeopardized the client's
23 health or life.

24 COST RECOVERY

25 7. Code section 125.3 provides, in pertinent part, that the Board may request
26 the administrative law judge to direct a licensee found to have committed a violation or
27 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
28 and enforcement of the case.

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1 FIRST CAUSE FOR DISCIPLINE

2 (Gross Negligence)

3 8. Respondent is subject to disciplinary action pursuant to Code section
4 2761, subdivision (a)(1), on the grounds of unprofessional conduct. While employed as a home
5 health care/registered nurse for Sunshine Home Health Care, Inc. ("SHHC"), Pleasanton,
6 California, Respondent was guilty of gross negligence in her care of Patients "S.S.", "E.D.", and
7 "L.C.", within the meaning of Regulation 1442, as follows:

8 **Patient S.S.**

9 a. Respondent documented in the Nursing Visit Record ("NVR") for Patient
10 S. S.^{1/} that she made a home health visit with the patient on August 16, 2003, between 12:00 p.m.
11 and 1:00 p.m. and recorded in the NVR the patient's vital signs and information relating to the
12 patient's cardiovascular, respiratory, neurological, and genito-urinary systems. Respondent also
13 wrote in the NVR, among other things, that she assessed the patient's pain status and the patient
14 reported that she passed the night without having to take any medication, and that she instructed
15 the patient in precautions with fluid intake, practicing good hygiene, and safety measures
16 involving the clutter in the patient's apartment. In fact, Respondent failed to make a home health
17 visit with the patient on August 16, 2003, failed to perform any skilled nursing interventions
18 regarding the patient's care on that date, and falsified the NVR as set forth herein.

19 b. Respondent documented in the NVR for Patient S.S. that she made a home
20 health visit with the patient on August 22, 2003, between 7:30 a.m. and 8:30 a.m. and recorded in
21 the NVR the patient's vital signs and information pertaining to the patient's cardiovascular,
22 neurological and genito-urinary systems. Respondent also wrote in the NVR, among other
23 things, that she assessed the patient's "GU pain and MS status", that the patient denied pain, but
24 continued to complain of general weakness, that she assessed the patient's management of
25 diabetes, and that she instructed the patient on parameters of telephoning the doctor, how to

26
27 1. Patient S.S. was referred to SHHC by G. Sandu, M.D. for care related to the patient's diabetes and
28 urinary incontinence. Dr. Sandu requested assistance related to the patient's post-operative diabetes management
and transvaginal treatment.

1 manage sick days, and the importance of foot care and how to avoid injury to her feet. In fact,
2 Respondent failed to make a home health visit with the patient on August 22, 2003, failed to
3 perform any skilled nursing interventions regarding the patient's care on that date, falsified the
4 NVR as set forth herein, and forged the patient's signature on the NVR.^{2/}

5 **Patient E. D.**

6 c. Respondent documented in the NVR's for Patient E. D.^{3/} that she made
7 home health visits with the patient on April 19, April 26, and April 27, 2003, May 10, and May
8 25, 2003, June 1, June 7, June 28, and June 29, 2003, July 5, and July 25, 2003, and August 2,
9 August 9, and August 16, 2003, at Atherton Court Alzheimer's Residence ("ACAR") in Fremont,
10 California. Respondent recorded in the NVR's the patient's vital signs and information
11 pertaining to the patient's cardiovascular, respiratory, neurological, and/or genito-urinary
12 systems. Respondent also wrote in each NVR that she assessed and cleansed the patient's
13 wounds. In fact, Respondent failed to make home health visits with the patient on those dates^{4/},
14 failed to assess or care for the patient's wounds on those dates, and falsified the NVR's as set
15 forth herein.

16 **Patient L. C.**

17 d. Respondent documented in the NVR's for Patient L.C.^{5/} that she made
18 home health visits with the patient on and between June 5 and 10, 2003, June 12 and June 28,
19 2003, June 30, 2003, and July 2, 7, and 19, 2003, at Retirement Inn, Fremont, California, for a
20 total of 27 visits. Respondent recorded in the NVR's the patient's vital signs and information
21 pertaining to the patient's cardiovascular, respiratory, neurological, and/or genito-urinary

22
23 2. According to SHHC's written policies and procedures, all visits made to clients "will have a signature of
24 the client or caregiver in order to validate the date and time of visit."

25 3. Patient E.D. was referred to SHHC by R. Khetrapal, M.D., for home care in reference to the patient's
26 decubitus ulcer and open wounds of the knee and leg.

27 4. All visitors to ACAR must enter the front entrance, which is locked and opened by a receptionist. All
28 visitors are then signed into the facility and logged in the visitor's logbook.

5. Patient L.C. was referred to SHHC by G. Dressler, M.D. for skilled nursing home care in relation to the
patient's unhealed surgical back wound.

1 systems, documented that she removed the old dressings and assessed and cleansed the patient's
2 wounds, and wrote that the patient was unable to sign the records. In fact, Respondent failed to
3 make certain home health visits with the patient, failed to assess or care for the patient's wounds
4 on the dates visits were not made, and falsified the NVR's as set forth herein.

5 SECOND CAUSE FOR DISCIPLINE

6 (Unprofessional Conduct)

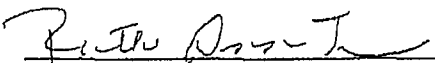
7 9. Respondent is subject to disciplinary action pursuant to Code section
8 2761, subdivision (a), in that while employed as a home health care/registered nurse for SHHC,
9 Respondent committed acts constituting unprofessional conduct in her care of Patients S.S., E.D.,
10 and L.C., as set forth in paragraph 8 above.

11 PRAYER

12 WHEREFORE, Complainant requests that a hearing be held on the matters herein
13 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 14 1. Revoking or suspending Registered Nurse License Number 511194, issued
15 to Adelaida Dizon Ocampo;
16 2. Ordering Adelaida Dizon Ocampo to pay the Board of Registered Nursing
17 the reasonable costs of the investigation and enforcement of this case, pursuant to Business and
18 Professions Code section 125.3;
19 3. Taking such other and further action as deemed necessary and proper.

20 DATED: 3/17/06

21 
22 RUTH ANN TERRY, M.P.H., R.N.
23 Executive Officer
24 Board of Registered Nursing
25 Department of Consumer Affairs
26 State of California

27 Complainant